



General Assembly

February Session, 2004

***Raised Bill No. 5474***

LCO No. 247

\*00247\_\_\_\_\_TRA\*

Referred to Committee on Transportation

Introduced by:  
(TRA)

***AN ACT CONCERNING TECHNICAL REVISIONS TO CERTAIN  
TRANSPORTATION STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 13a-57 of the general statutes, as amended by  
2 section 27 of public act 03-115, is repealed and the following is  
3 substituted in lieu thereof (*Effective from passage*):

4 The commissioner may lay out any road as a state highway either  
5 by using existing highways or by acquiring by purchase or  
6 condemnation new rights-of-way. The layout shall be made in the  
7 following manner: The commissioner shall develop a map or maps of  
8 the layout of a state highway by ground survey or aerial  
9 photogrammetric methods. Such map or maps shall show the limits of  
10 the right-of-way, all existing roads, buildings [,] and fences and other  
11 topographic features which will clearly establish the location of the  
12 highway. The commissioner shall file in the town clerk's office in each  
13 town in which such layout or portion thereof is established a map  
14 showing such portions of such layout within the limits of any such  
15 town in which such map is filed. When such maps of any section or  
16 sections of such highway have been so filed, the commissioner shall

17 cause a notice to be inserted in a newspaper having a general  
18 circulation within each of such towns describing the action of the  
19 commissioner concerning the layout of such highway. When such  
20 maps have been placed on file and such notice given, such portion or  
21 section shall be deemed to have been legally laid out as a state  
22 highway and all provisions of the general statutes relating to state  
23 highways shall apply to such layout or highway. This section shall not  
24 affect the authority of the commissioner to relocate any section of any  
25 state highway as provided in section 13a-56.

26 Sec. 2. Section 13b-55 of the general statutes, as amended by section  
27 55 of public act 03-115, is repealed and the following is substituted in  
28 lieu thereof (*Effective from passage*):

29 The commissioner may sell and convey any land, right in land,  
30 riparian right or other property or right in property, of whatever kind,  
31 that the commissioner may acquire pursuant to section 13b-53, which  
32 is in excess of the quantity required for the purpose for which it was  
33 acquired, and [to] may execute and deliver appropriate conveyances of  
34 such property in behalf of the state. No such sale or conveyance shall  
35 be made without the prior consent of the Secretary of the Office of  
36 Policy and Management and the Commissioner of Public Works and  
37 the State Properties Review Board.

38 Sec. 3. Subdivision (4) of section 13b-57d of the general statutes, as  
39 amended by section 1 of public act 03-4 of the June 30 special session,  
40 is repealed and the following is substituted in lieu thereof (*Effective*  
41 *from passage*):

42 (4) "Strategy" means the transportation projects and supporting  
43 documentation contained in the report dated January, 2003, submitted  
44 by the board in accordance with subdivision (3) of subsection (k) of  
45 section 13b-57g, as amended, and any updates or revisions to such  
46 transportation projects.

47 Sec. 4. Subsection (b) of section 3 of public act 03-4 of the June 30

48 special session is repealed and the following is substituted in lieu  
49 thereof (*Effective from passage*):

50 (b) The following TSB projects shall be completed:

51 (1) In the Coastal Corridor TIA, as defined in section 13b-57d, as  
52 amended:

53 (A) Acquire rolling rail stock, as deemed appropriate by the board,  
54 sufficient to add no fewer than two thousand seats for the Metro  
55 North-New Haven Line for use in both interstate and intrastate  
56 service. All payments received by the state pursuant to any agreement  
57 entered into in accordance with subsection (h) of section 13b-34  
58 involving rolling rail stock used on the Metro North-New Haven Line  
59 shall be used exclusively for refurbishing rolling rail stock on and  
60 other capital improvements to the Metro North-New Haven Line;

61 (B) Construct or expand stations at Bridgeport, New Haven and  
62 Stamford that can accommodate rail service and one or more other  
63 modes of transportation and have:

64 (i) Facilities for one thousand or more parking spaces;

65 (ii) Connections to bus and other transit systems;

66 (iii) Opportunity for community revitalization;

67 (iv) Opportunity for transit oriented development;

68 (v) Ease of auto, bus, bicycle and pedestrian access to the station  
69 facility;

70 (vi) Potential to attract sufficient riders to support additional  
71 express trains;

72 (vii) Operation under control of the state; and

73 (viii) Feeder bus services for passenger rail service;

74 (C) Facilitate use of the Long Island Sound Waterway for passenger  
75 and freight movement, including, but not limited to, bulkheading and  
76 dredging, upon removal of prohibitions imposed by federal law,  
77 expanding passenger facilities, including facilities at the Bridgeport  
78 Intermodal Facility, to support high speed ferry service; and

79 (2) In the I-84 Corridor TIA, as defined in section 13b-57d, as  
80 amended:

81 (A) Establish express bus services from New Haven to Bradley  
82 International Airport;

83 (B) Complete the New Britain to Hartford busway and establish  
84 other bus rapid transit or light rail service in Hartford and  
85 surrounding towns; and

86 (C) Expand rail passenger service on the Norwalk to Danbury-New  
87 Milford Branch Line to assist commuter movement on Route 7 and I-  
88 95; and [.]

89 (3) In the I-91 Corridor TIA, as defined in section 13b-57d, as  
90 amended:

91 (A) Upgrade or construct maintenance facilities and parking  
92 facilities and upgrade feeder bus services for passenger rail service,  
93 particularly along the Metro North-New Haven Line; and

94 (B) Establish bus service or commuter rail service, as determined in  
95 the Hartford-Springfield-New Haven Implementation Study  
96 conducted by the department, that runs through New Haven, Hartford  
97 and Springfield, with a connection to Bradley International Airport;  
98 and [.]

99 (4) In the I-395 Corridor TIA, as defined in section 13b-57d, as  
100 amended:

101 (A) Establish rail freight service with connections to the port of New

102 London;

103 (B) Expand the frequency of bus service, number of runs and  
104 connections within and outside of the region, particularly in and to  
105 Norwich and New London and acquire buses sufficient to add no  
106 fewer than two hundred seats; and

107 (C) Design and plan for traffic mitigation in southeastern  
108 Connecticut, including planning for the extension of Route 11 from its  
109 terminus in Salem to the I-95 and I-395 intersect, with appropriate  
110 greenway purchases made in accordance with section 13a-142e; and [.]

111 (5) In the Southeast Corridor TIA, as defined in section 13b-57d, as  
112 amended:

113 (A) Acquire rolling rail stock for the Shoreline East Railroad Line  
114 sufficient to add no fewer than one thousand seats;

115 (B) Make operational improvements to highways that improve the  
116 flow of traffic on I-95 and I-395; and

117 (6) State-wide:

118 (A) Improve and target marketing by the department of the Deduct-  
119 a-Ride program to all eligible employers; and

120 (B) Continue funding the Jobs Access Program.

121 Sec. 5. Section 15 of public act 03-4 of the June 30 special session is  
122 repealed and the following is substituted in lieu thereof (*Effective from*  
123 *passage*):

124 There [is] are hereby authorized bonds and bond anticipation notes  
125 to be issued under and in accordance with the provisions of sections  
126 13b-74 to 13b-77, inclusive, as amended, for the purposes of funding of  
127 the projects and purposes described in section 3 of [this act] public act  
128 03-4 of the June 30 special session, as amended by this act, as those  
129 projects and purposes may be modified, including, but not limited to,

130 the costs of issuance and required reserves which authorizations shall  
131 not exceed the following aggregate amounts:

T1	Authorized Funding Amounts	
T2	Fiscal Year	Amount
T3	2004	\$ 32,423,000
T4	2005	\$ 35,125,000
T5	2006	\$ 32,526,000
T6	2007	\$ 26,528,000
T7	2008	\$ 25,530,000
T8	2009	\$ 25,532,000
T9	2010	\$ 23,533,000
T10	2011	\$ 22,535,000
T11	2012	\$ 21,537,000
T12	2013	\$ 20,538,000
T13	Total	\$264,807,000

132 Such projects and purposes shall be funded by the use of any federal  
133 revenue, grants or other transportation related financial assistance  
134 which may be available, the issuance of special tax obligation bonds, as  
135 more particularly described in sections 13b-74 to 13b-77, inclusive, as  
136 amended, and, where appropriate, cash from incremental revenues.  
137 Not more than one million dollars of such amounts may be made  
138 available to fund the operations of the Transportation Strategy Board  
139 for fiscal years ending June 30, 2004, and June 30, 2005.

140 Sec. 6. Subdivision (6) of subsection (b) of section 13b-74 of the  
141 general statutes, as amended by section 18 of public act 03-4 of the June  
142 30 special session, is repealed and the following is substituted in lieu  
143 thereof (*Effective from passage*):

144 (6) Planning, acquisition, removal, construction, equipping,  
145 reconstruction, repair, rehabilitation and improvement of, and

146 acquisition of easements and rights-of-way with respect to, projects  
147 and purposes included in section 3 of [this act] public act 03-4 of the  
148 June 30 special session, as amended by this act, which have been  
149 approved for financing with special tax obligation bonds or notes as  
150 provided in the annual financing plan of [such board] the  
151 Transportation Strategy Board, as described in section 17 of [this act]  
152 public act 03-4 of the June 30 special session, as well as related  
153 financing costs, including, without limitation, costs of issuance and  
154 required reserves.

155 Sec. 7. Subsection (e) of section 13b-103 of the general statutes, as  
156 amended by section 90 of public act 03-115, is repealed and the  
157 following is substituted in lieu thereof (*Effective from passage*):

158 (e) Any person [, other than an operator who has received a permit,]  
159 who holds him or herself out to be the operator of a motor vehicle in  
160 livery service who has not received a permit under this section or with  
161 the intent to [obtain a benefit or to] injure or defraud another shall be  
162 guilty of a class B misdemeanor.

163 Sec. 8. Subparagraph (A) of subdivision (2) of subsection (f) of  
164 section 14-10 of the general statutes, as amended by section 7 of public  
165 act 03-265, is repealed and the following is substituted in lieu thereof  
166 (*Effective from passage*):

167 (A) In connection with matters of motor vehicle or driver safety and  
168 theft, motor vehicle emissions, motor vehicle product alterations,  
169 recalls or advisories, performance monitoring of motor vehicles and  
170 dealers by motor vehicle manufacturers and removal of nonowner  
171 records from the original owner records of motor vehicle  
172 manufacturers to implement the provisions of the federal Automobile  
173 Information Disclosure Act, 15 USC 1231 et seq., the Clean Air Act, 42  
174 USC 7401 et seq., and 49 USC Chapters 301, 305 and 321 to 331,  
175 inclusive, as amended from time to time, and any provision of the  
176 general statutes enacted to attain compliance with said federal [acts]  
177 provisions.

178 Sec. 9. Subsection (g) of section 14-16c of the general statutes, as  
179 amended by section 8 of public act 03-265, is repealed and the  
180 following is substituted in lieu thereof (*Effective from passage*):

181 (g) The Commissioner of Motor Vehicles shall adopt regulations, in  
182 accordance with the provisions of chapter 54, to implement the  
183 provisions of this section.

184 Sec. 10. Section 14-40a of the general statutes, as amended by section  
185 4 of public act 03-171, is repealed and the following is substituted in  
186 lieu thereof (*Effective from passage*):

187 (a) No person shall operate a motorcycle on any public highway of  
188 this state until such person has obtained a motor vehicle operator's  
189 license with a motorcycle endorsement from the commissioner.

190 (b) A person who is sixteen years of age or older and who has not  
191 had such a license suspended or revoked may apply to the  
192 commissioner for a training permit. The commissioner may issue a  
193 training permit, containing such limitation as [he] said commissioner  
194 deems advisable, to an applicant after the applicant has passed all  
195 parts of the examination, other than the driving test, for a motor  
196 vehicle operator's license with a motorcycle endorsement as required  
197 by subsection [(e)] (c) of this section. The training permit shall entitle  
198 the applicant, while [he has the permit in his] said applicant is in  
199 immediate possession of said permit, to drive a motorcycle on the  
200 public highways, other than multiple lane limited access highways, for  
201 a period of sixty days. A training permit may be renewed, or a new  
202 permit issued, for an additional period of sixty days. On and after  
203 January 1, 1990, each applicant issued a training permit shall, while  
204 operating a motorcycle, wear protective headgear of a type which  
205 conforms to the minimum specifications established by regulations  
206 adopted under subsection (b) of section 14-289g.

207 [(b)] (c) Before granting a motorcycle endorsement to any applicant  
208 who has not held such an endorsement at any time within the

209 preceding two years, the commissioner shall require the applicant to  
210 demonstrate personally to the commissioner, a deputy or a motor  
211 vehicle inspector or an agent of the commissioner, in such manner as  
212 the commissioner directs, that the applicant is a proper person to  
213 operate a motorcycle, has sufficient knowledge of the mechanism of a  
214 motorcycle to ensure its safe operation by such applicant, and has  
215 satisfactory knowledge of the law concerning motorcycles and other  
216 motor vehicles [.] and the rules of the road. On and after January 1,  
217 1990, an applicant under the age of eighteen shall also demonstrate  
218 that such applicant has successfully completed a novice motorcycle  
219 training course offered by the Department of Transportation or  
220 approved by the Commissioner of Motor Vehicles. If an applicant has  
221 had a license or held such an endorsement from a state where a similar  
222 examination or course is required, the commissioner may waive part  
223 or all of any such requirement. When the commissioner is satisfied as  
224 to the ability and competency of the applicant, the commissioner may  
225 issue an endorsement to such applicant, either unlimited or containing  
226 such limitations as the commissioner deems advisable. If an applicant  
227 or motorcycle endorsement holder has any health problem which  
228 might affect such person's ability to operate a motorcycle safely, the  
229 commissioner may require the applicant or endorsement holder to  
230 demonstrate personally that, notwithstanding the problem, such  
231 person is a proper person to operate a motorcycle, and the  
232 commissioner may further require a certificate of the applicant's  
233 condition, signed by a medical authority designated by the  
234 commissioner, which certificate shall, in all cases, be treated as  
235 confidential by the commissioner. An endorsement, containing such  
236 limitation as the commissioner deems advisable may be issued or  
237 renewed in any case, but nothing in this section shall be construed to  
238 prevent the commissioner from refusing an endorsement, either  
239 limited or unlimited, to any person or suspending an endorsement of a  
240 person whom the commissioner deems incapable of safely operating a  
241 motorcycle.

242 [(c)] (d) No person shall operate a motorcycle in any manner in

243 violation of the limitations imposed in a limited endorsement issued to  
244 such person.

245     ~~[(d)]~~ (e) Any person who violates any provision of subsection (a), (b)  
246 or ~~[(c)]~~ (d) of this section shall, for a first offense, be deemed to have  
247 committed an infraction and be fined not less than thirty-five dollars  
248 nor more than fifty dollars and, for any subsequent offense, shall be  
249 fined not more than one hundred dollars or imprisoned not more than  
250 thirty days, or both.

251     Sec. 11. Subsection (v) of section 14-49 of the general statutes, as  
252 amended by section 21 of public act 03-4 of the June 30 special session,  
253 is repealed and the following is substituted in lieu thereof (*Effective*  
254 *from passage*):

255     (v) There shall be charged for each motor vehicle learner's permit or  
256 renewal thereof a fee of eighteen dollars. There shall be charged for  
257 each motorcycle ~~[learner's]~~ training permit or renewal thereof a fee of  
258 fifteen dollars.

259     Sec. 12. Section 14-69 of the general statutes, as amended by section  
260 10 of public act 03-265, is repealed and the following is substituted in  
261 lieu thereof (*Effective from passage*):

262     No person shall engage in the business of conducting a drivers'  
263 school without being licensed therefor by the commissioner.  
264 Application therefor shall be in writing and shall contain such  
265 information as the commissioner requires. Each applicant shall be  
266 fingerprinted before such application is approved. If the application is  
267 approved, the applicant shall be granted a license upon the payment of  
268 a fee of ~~[one hundred]~~ three hundred fifty dollars and a deposit with  
269 the commissioner of cash or a bond of a surety company authorized to  
270 do business in this state, conditioned on the faithful performance by  
271 the applicant of any contract to furnish instruction, in either case in  
272 such amount as the commissioner may require, such cash or bond to  
273 be held by the commissioner to satisfy any execution issued against

274 such school in a cause arising out of failure of such school to perform  
 275 such contract. [The license fee shall be three hundred fifty dollars.] For  
 276 each additional place of business of such school, the commissioner  
 277 shall charge a fee of eighty-eight dollars. No license shall be required  
 278 in the case of any board of education, or any public, private or  
 279 parochial school, which conducts a course in driver education  
 280 established in accordance with sections 14-36e and 14-36f. A license so  
 281 issued shall be valid during the calendar year. The annual fee for  
 282 renewal shall be the same amount and the same deposit of security  
 283 shall be required. The commissioner shall issue a license certificate or  
 284 certificates to each licensee, one of which shall be displayed in each  
 285 place of business of the licensee. In case of the loss, mutilation or  
 286 destruction of a certificate, the commissioner shall issue a duplicate  
 287 upon proof of the facts and the payment of a fee of [two dollars. Such  
 288 fee shall be] seven dollars.

This act shall take effect as follows:	
Section 1	<i>from passage</i>
Sec. 2	<i>from passage</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>from passage</i>
Sec. 6	<i>from passage</i>
Sec. 7	<i>from passage</i>
Sec. 8	<i>from passage</i>
Sec. 9	<i>from passage</i>
Sec. 10	<i>from passage</i>
Sec. 11	<i>from passage</i>
Sec. 12	<i>from passage</i>

***Statement of Purpose:***

To make technical revisions to certain transportation statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*